

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

NO. 7:20-CV-66-FL

LEWIS E. ALEXANDER, JR.,

Plaintiff,

v.

STATE OF NORTH CAROLINA  
JUDICIAL STANDARDS  
COMMISSION; BRUNSWICK  
COUNTY, NORTH CAROLINA;  
DISTRICT JUDGE C ASHLEY GORE;  
MAGISTRATE DOUGLAS  
RUTTLAND; ARBITRATOR  
BONAPARTE BAREFOOT;  
BRUNSWICK COUNTY SHERIFF'S  
DEPARTMENT; JOHN INGRAM  
SHERIFF; GOVERNOR ROY COOPER;  
NC DEPARTMENT OF INSURANCE  
FIRE MARSHALLS DIVISION; and  
BRUNSWICK COUNTY BUILDING  
INSPECTIONS,

Defendants.


ORDER

This matter is before the court on the Memorandum and Recommendation (M&R) of United States Magistrate Judge Robert T. Numbers, II, regarding frivolity review of plaintiff's complaint, pursuant to 28 U.S.C. § 1915(e)(2)(B). (DE 5). Pro se plaintiff timely objected to the M&R, which recommends dismissal of plaintiff's complaint in its entirety. In this posture, the issues raised are ripe for ruling.

The district court reviews de novo those portions of a magistrate judge's M&R to which specific objections are filed. 28 U.S.C. § 636(b). The court does not perform a de novo review where a party makes only "general and conclusory objections that do not direct the court to a specific error in the magistrate's proposed findings and recommendations." Orpiano v. Johnson, 687 F.2d 44, 47 (4th Cir. 1982). Absent a specific and timely filed objection, the court reviews only for "clear error," and need not give any explanation for adopting the M&R. Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005); Camby v. Davis, 718 F.2d 198, 200 (4th Cir.1983). Upon careful review of the record, "the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1).

Under 28 U.S.C. § 1915(e)(2), the court may dismiss an action that is frivolous or malicious, fails to state a claim on which relief may be granted, or seeks monetary relief against a defendant who is immune from such relief. The court has carefully considered the record, including the allegations in plaintiff's complaint, the M&R, and plaintiff's objections. Upon de novo review, the court ADOPTS as its own the M&R. Plaintiff's complaint is DISMISSED pursuant to 28 U.S.C. § 1915(e). Plaintiff's objection to motion to quash subpoena and motion to compel (DE 8) is DENIED AS MOOT.<sup>1</sup> The clerk is DIRECTED to close this case.

SO ORDERED, this the 24th day of July, 2020.

  
LOUISE W. FLANAGAN  
United States District Judge

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<sup>1</sup> Plaintiff's filing bears the case caption for the instant matter but appears to be a response to motion filed in a related case. See Alexander v. Storage Properties, Inc., No. 7:19-CV-237-FL, ECF No. 19 (E.D.N.C. June 24, 2020). The objection to the motion to compel is denied as moot as to this case.